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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Bernhard Pfeiffer

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01/09/2009

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EXAMINER

WATKINS III, WILLIAM P

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

01/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. Applicant's election of Group I, claims 1-15 in the reply filed on 02 October 2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. The rejection under section 35 U.S.C. 101 given in the first office action is withdrawn as claim 20 is no longer pending.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hack et al. (U.S. 2001/00366559 A1) in view of Goldbach et al. (EP 0 370 342 A2, U.S. 5,190,803 is taken as being an equivalent of the EP '342 reference) further in view of Celanese (GB 1,104,467).

Hack et al. teaches using polyacetal fiber reinforced moldings to make metal channels, such as those taught by Goldbach et al., with plastic ribs that have thickness

dimensions which vary (sections 0016 and 0002 of Hack et al. and Figure 1 of Goldbach et al). Celanese teaches using foaming agents to make strong light weight moldings of polyacetals that have a density of .3 to 1.35 grams per cc and an average cell size of .0001 to .1 inch (Example 6, page 1, lines 25-35). The instant invention claims a molding of polyacetal with a micro-cellular structure that has a variation in wall thickness of at least 1 mm. It would have been obvious to one of ordinary skill in the art to have made the molding of Hack et al. in view of Goldbach et al. out of a foamed polyacetal in order to have a strong light weight molding because of the teachings of Celanese. As the molding material of Celanese has a similar pore size and density as that of the instant claimed invention, the mechanical properties of the dependent claims are taken as being met by this material.

5. Applicant's arguments filed 02 October 2008 have been fully considered but they are not persuasive.

Applicant argues that the combination does not teach applicant's claimed cell size. The Celanese reference clearly teaches a cell size within applicant's claimed range as cited in the above rejection. Motivation is given to combine all of the references in the above rejection. Applicant also argues that none of the references teach applicant's stress cracking problem. The position of the examiner is that if the structure of the combination is the same as the claimed structure, the combination of the references will inherently solve applicant's stated problem, regardless of if there is explicit motivation in the references to do so.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 571-272-1503. The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WW/ww
January 9, 2009

/William P. Watkins III/

Primary Examiner, Art Unit 1794